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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
GOSS INTERNATIONAL AMERICAS, INC.,

Plaintiff,

- against -

INTERFRACHT CONTAINER OVERSEAS
SERVICE GMBH,

Defendant.
-----X

JUDGE COTE

07 CV 2985

07 Civ.

COMPLAINT

Plaintiff, by its attorneys, CASEY & BARNETT, LLC, as and for its Complaint,
alleges upon information and belief as follows:

1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Jurisdiction is predicated upon 28 U.S.C. § 1333.

2. Plaintiff, Goss International Americas, Inc. is a corporation, duly incorporated under the laws of one of the states of the United States, with an office and place of business located at 121 Broadway Street, Dover, New Hampshire 03820 and is the cargo shipper and owner of a consignment of web printing machinery laden on board the M/V TAMPA, as more fully described below.

3. Defendant, Interfracht Container Overseas Service GmbH. (hereinafter “Interfracht”), is a foreign corporation with an office and place of business located at Bergiusstrabe 1, D-28045 Stuhr, Germany, and at all relevant times was and is doing business in this jurisdiction directly and/or through an agent and was and is a non-vessel owning common carrier of goods by water and was the common carrier for the shipment described more fully below.

4. Plaintiff brings this action on its own behalf and as agent and/or trustee on behalf of and for the interest of all parties who may be or become interested in the said consignment, as their respective interests may ultimately appear, and Plaintiff is entitled to maintain this action.

5. On or about May 20, 2006 a consignment consisting of 9 crates of printing machinery, then being in good order and condition, was delivered to defendant, Interfracht, and/or it's agents in Boxmeer, The Netherlands, for transportation to Baltimore, Maryland in consideration for an agreed freight, pursuant to Interfracht bill of lading number 2710560115, dated May 20, 2006.

6. The machinery was transported from Boxmeer to the port of Bremerhaven, Germany and loaded aboard the M/V TAMPA for ocean transport to Baltimore, Maryland.

7. On or about May 31, 2006 the machinery was discharged from the M/V TAMPA in the port of Baltimore, Maryland.

8. On or about June 8, 2006, the driver of a trucking company hired by plaintiff to pick up the consignment of machinery arrived at the port and witnessed one of the crates, containing a splicer, strike another crate, containing a dryer, causing damages to both items while being moved on a trailer within the port by agents of the defendant.

9. Due to the extent of damages sustained, the dryer and splicer were forwarded to plaintiff's facility in New Hampshire, rather than being shipped onward to the awaiting buyer in Minnesota.

10. The defendant failed to deliver the cargo to the receiver and consignee in the same good order and condition as when received by defendant in Boxmeer, The Netherlands.

11. The damage to the aforementioned cargo did not result from any act or omission on the part of plaintiff, but to the contrary, was the result in whole or in part of the negligence and/or breach of contract of defendant, Interfracht, and /or its agents.

12. By reason of the foregoing, plaintiff has been damaged in the amount of at least \$80,000 no part of which has been paid, although duly demanded.

WHEREFORE, Plaintiff prays:

1. That process in due form of law may issue against Defendant citing it to appear and answer all and singular the matters aforesaid;
2. That judgment may be entered in favor of Plaintiff and against Defendant for the amount of Plaintiff's damages, together with interest and costs and the disbursements of this action, and
3. That this Court grant to plaintiff such other and further relief as may be just and proper.

Dated: New York, New York
April 9, 2007
115-818

CASEY & BARNETT, LLC
Attorneys for Plaintiff

By: 

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